



City of NORFOLK

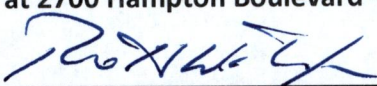
C: Dir., Department of City Planning

To the Honorable Council
City of Norfolk, Virginia

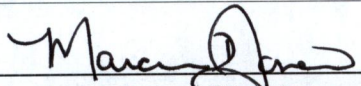
April 14, 2015

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Special Exception to operate an entertainment establishment with alcoholic beverages at 2700 Hampton Boulevard – Small's Restaurant and Catering Co.**

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/7

Approved: 
Marcus D. Jones, City Manager

Item Number: R-5

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Special Exception to operate an entertainment establishment with alcoholic beverages.
- IV. **Applicant:** Small's Restaurant and Catering Co.
- V. **Description**
This request allow would allow the existing restaurant, Small's Restaurant and Catering Co., to expand their total capacity, expand hours of operation and hours for the sale of alcohol, and to add entertainment options to their operations.

	Prior Operations	Proposed Operations
Hours of Operation	6:00 a.m. until 12:00 midnight, Sunday through Thursday 6:00 a.m. until 1:00 a.m., Friday and Saturday	6:00 a.m. until 2:00 a.m., Monday through Saturday 6:00 a.m. until 12:00 midnight, Sunday
Hours for the Sale of Alcoholic Beverages	6:00 a.m. until 12:00 midnight, Sunday through Thursday 6:00 a.m. until 1:00 a.m., Friday and Saturday	10:30 a.m. until 1:45 a.m., Monday through Saturday 10:30 a.m. until 11:45 p.m., Sunday

Staff point of contact: Matthew Simons at 664-4750, matthew.simons@norfolk.gov

Attachments:

- Staff Report to CPC dated March 26, 2015 with attachments
- Letter of opposition – neighbor
- Proponents and Opponents
- Ordinance



City of NORFOLK

Planning Commission Public Hearing: March 26, 2015

Executive Secretary: George M. Homewood, AICP, CFM

Staff: Matthew Simons, CFM

JS

M.S.

Staff Report		Item No.: 13
Address	2700 Hampton Boulevard	
Applicant	Small's Restaurant and Catering	
Request	Special Exception	Entertainment Establishment
Property Owner	John F. Small Jr.	
Site Characteristics	Site Area	14,933 sq. ft.
	Zoning	C-2 (Corridor Commercial)
	Neighborhood	Kensington/Old Dominion Place
	Character District	Traditional
Surrounding Area	North	I-1 (Limited Industrial): storage facility
	East	Conditional I-1: gym and warehouse
	South	Conditional C-2: 7-Eleven gas station
	West	C-2: ODU Credit Union



A. Summary of Request

- This request would allow the existing restaurant, Small's Restaurant and Catering Co., to expand their total capacity, expand hours of operation and hours for the sale of alcohol, and to add entertainment options to their operations.
- The site is located along the east side of Hampton Boulevard, between West 27th Street and 35th Street on the edge of the Kensington/Old Dominion Place neighborhood, and along a corridor mixed with commercial, industrial and some institutional uses.

B. Plan Consistency

The proposed special exception is consistent with *plaNorfolk2030*, which designates this site as Commercial.

C. Zoning Analysis

i. General

The use is permitted in the C-2 by Special Exception.

	Prior Operations	Proposed Operations
Hours of Operation	6:00 a.m. until 12:00 midnight, Sunday through Thursday 6:00 a.m. until 1:00 a.m., Friday and Saturday	6:00 a.m. until 2:00 a.m., Monday through Saturday 6:00 a.m. until 12:00 midnight, Sunday
Hours for the Sale of Alcoholic Beverages	6:00 a.m. until 12:00 midnight, Sunday through Thursday 6:00 a.m. until 1:00 a.m., Friday and Saturday	10:30 a.m. until 1:45 a.m., Monday through Saturday 10:30 a.m. until 11:45 p.m., Sunday
Capacity	<ul style="list-style-type: none">• 84 seats indoors• 20 seats outdoors• 120 total capacity	<ul style="list-style-type: none">• 80 seats indoors• 20 seats outdoors• 134 total capacity
Entertainment	None	<ul style="list-style-type: none">• 3 member live band• Karaoke• Comedian• Poetry Reading

Special exception history:

City Council Approval	Applicant	Action
July 2012	Holy Smoke's	Original Application
June 2013	Small's Restaurant and Catering	Increased Capacity Off-Lot Parking

March 2014	Small's Restaurant and Catering	Increased Hours
Pending	Small's Restaurant and Catering	<ul style="list-style-type: none"> • Increased hours • Increased total occupancy • Addition of entertainment

ii. **Parking**

- In 2013, a special exception was approved for off-lot parking for this establishment, located to the east in the parking lot for Teagle and Little Printing at 1060 West 27th Street.
- Since no increase in square footage is being proposed for the site, no additional parking is needed.

iii. **Flood Zone**

The property is located in the X Flood Zone, which is a low risk flood zone.

D. Transportation Impacts

- Institute of Transportation Engineers figures estimate that this restaurant will generate 19 fewer vehicle trips per day by decreasing total indoor seating at this location by 4 below currently approved levels.
- This parcel is within 1,500 feet of a severely congested section of Hampton Boulevard as identified in the current Hampton Roads Congestion Management analysis.

E. Impact on the Environment

The site must continue to comply with all the standards set forth in the *Zoning Ordinance of the City of Norfolk, 1992*.

F. Impact on Surrounding Area/Site

By requiring this use to conform to the conditions listed below, the proposed Entertainment Establishment should not have a negative effect on the surrounding neighborhood.

G. Payment of Taxes

The owner of the property is current on all real estate taxes.

H. Civic League

- Letters were sent to the Kensington/Old Dominion Place and Lamberts Point Civic Leagues on February 4.
- The owner has met with the president of the Lamberts Point Civic League on February 11.

I. Communication Outreach/Notification

- Legal notice was posted on the property on January 20.
- Letters were mailed to all property owners within 300 feet of the property on March 12.

Legal notification was placed in *The Virginian-Pilot* on March 12 and 19.

J. Recommendation

Staff recommends that the special exception request be **approved** subject to the conditions shown below:

- (a) The hours of operation for the establishment shall be from 6:00 a.m. until 2:00 a.m. the following morning, Monday through Saturday, and from 6:00 a.m. until 12:00 midnight on Sunday. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) The hours for the sale of alcoholic beverages and for entertainment shall be from 10:30 a.m. until 1:45 a.m. the following morning, Monday through Saturday, and from 10:30 a.m. until 11:45 p.m. on Sunday.
- (c) The seating for the establishment shall not exceed 80 seats indoors, 20 seats outdoors, and the total occupant capacity, including employees, shall not exceed 134 people.
- (d) No portion of the outdoor dining area shall be enclosed and any covering must leave the dining space open on at least three sides and no portion of the outdoor dining area shall be heated or cooled.
- (e) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.
- (f) Entertainment shall be limited to live bands having no more than 3 members, karaoke, comedians and poetry reading. No other form of

entertainment is permitted.

- (g) There shall be no dancing and no dance floor provided.
- (h) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B."
- (i) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (j) The establishment shall maintain a current, active business license at all times while in operation.
- (k) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (l) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.
- (m) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (n) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (o) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- (p) The business authorized by this special exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this special exception. Should any

owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new special exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.

- (q) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this special exception. This special exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (r) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (s) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (t) In addition to the ABC manager or supervisor the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (u) No patrons or guests shall be charged a cover charge or fee for entry to the establishment.
- (v) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:
 - (1) This special exception;

- (2) Any ABC license(s);
 - (3) Any occupancy permit(s);
 - (4) Certifications of all persons who work on the premises as a security guard;
 - (5) All fire code certifications, including alarm and sprinkler inspection records;
 - (6) Any health department permit(s);
 - (7) The emergency action plan required under the Fire Prevention Code;
 - (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
 - (9) The establishment's designated driver program; and
 - (10) The establishment's Security Plan.
- (w) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 100 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshal, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.
- (x) The written security plan submitted to the City as part of the application for this special exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

Attachments:

Location Map
Zoning Map
1000' radii map of similar ABC establishments
Application
Letters to the civic leagues

Proponents and Opponents

Proponents

John Small – Applicant
2700 Hampton Boulevard
Norfolk, VA 23517

Thomas Harris – Lamberts Point Civic League, president
1231 West 27th Street
Norfolk, VA 23504

Opponents

None

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved: 

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION AUTHORIZING THE OPERATION OF AN ENTERTAINMENT ESTABLISHMENT KNOWN AS "SMALL'S RESTAURANT & CATERING COMPANY" ON PROPERTY LOCATED AT 2700 HAMPTON BOULEVARD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to Solitude Trail, LLC authorizing the operation of an entertainment establishment named "Small's Restaurant & Catering Company" on property located at 2700 Hampton Boulevard. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 80 feet, more or less, along the northern line of West 27th Street and 75 feet, more or less, along the eastern line of Hampton Boulevard; premises numbered 2700 Hampton Boulevard.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the establishment shall be limited to 6:00 a.m. until 2:00 a.m. the following morning, Monday through Saturday, and from 6:00 a.m. until 12:00 midnight on Sunday. No use of the facility outside of the hours of operation listed herein shall be permitted.
- (b) The hours for the sale of alcoholic beverages and for the entertainment shall be limited to 10:30 a.m. until 1:45 a.m. the following morning, Monday through Saturday, and from 10:30 a.m. until 11:45 p.m. on Sunday. No sale of alcoholic beverages outside of the hours listed herein shall be permitted.
- (c) The seating for the establishment shall not exceed

80 seats indoors, 20 seats outdoors, and the total occupant capacity, including employees, shall not exceed 134 people.

- (d) No portion of the outdoor dining area shall be enclosed and any covering must leave the dining space open on at least three sides and no portion of the outdoor dining area shall be heated or cooled.
- (e) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.
- (f) Entertainment shall be limited to live bands having no more than 3 members, karaoke, comedian and poetry reading.
- (g) There shall be no dancing and no dance floor.
- (h) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B".
- (i) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (j) The establishment shall maintain a current, active business license at all times while in operation.
- (k) The establishment shall remain current on all food and beverage taxes and business personal property

taxes which may become due while it is in operation.

- (l) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.
- (m) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (n) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (o) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- (p) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (q) The violation of any requirement, limitation, or

restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.

- (r) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (s) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (t) In addition to the ABC manager or supervisor, the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (u) No patrons or guests shall be charged a cover charge or fee for entry to the establishment.
- (v) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:
 - (1) This Special Exception;
 - (2) Any ABC license(s);

- (3) Any occupancy permit(s);
 - (4) Certifications of all persons who work on the premises as a security guard;
 - (5) All fire code certifications, including alarm and sprinkler inspection records;
 - (6) Any health department permits;
 - (7) The emergency action plan required under the Fire Prevention Code;
 - (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
 - (9) The establishment's designated driver program; and
 - (10) The establishment's Security Plan.
- (w) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 100 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshall, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.
- (x) The written security plan submitted to the City as part of the application for this Special Exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of

Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is

considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;

- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That the Special Exception granted hereby amends the previously granted special exception permitting operation of an Eating and Drinking Establishment on this property, adopted on March 18, 2014 (Ordinance No. 45,482). All provisions and conditions previously approved are entirely superseded by the terms of this Special Exception

Section 5:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:

Exhibit A (4 pages)

Exhibit B (1 page)



EXHIBIT "A"
Description of Operations
Entertainment Establishment
(Please Print)

Date 1/9/2015

Trade name of business Small's Restaurant & Catering Co

Address of business 2700 Hampton Blvd

Name(s) of business owner(s)* Solitude Trail LLC 90 Belinda Small

Name(s) of property owner(s)* 2700 Hampton Blvd LLC 90 John Small

Name(s) of business manager(s)/operator(s) Leygon Small / John Small

Daytime telephone number (757) 626-3440

*If business or property owner is a partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

<u>Facility</u>	<u>Alcoholic Beverage Sales and Entertainment</u>
Weekday From <u>6 AM</u> To <u>2: AM</u>	Weekday From <u>10:30 AM</u> To <u>1:45 AM</u>
Friday From <u>6 AM</u> To <u>2: AM</u>	Friday From <u>10:30 AM</u> To <u>1:45 AM</u>
Saturday From <u>6 AM</u> To <u>2: AM</u>	Saturday From <u>10:30 AM</u> To <u>1:45 AM</u>
Sunday From <u>6 AM</u> To <u>Mid Night</u>	Sunday From <u>10:30 AM</u> To <u>11:45 PM</u>

2. Type of ABC license applied for (check all applicable boxes):

☒ On-Premises ☐ Off-Premises (second application required)

3. Type of alcoholic beverage applied for:

☒ Beer ☐ Wine ☒ Mixed Beverage

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised December, 2014)

Exhibit A – Page 2
Entertainment Establishment

4. Will video games, pool tables, game boards or other types of games be provided?
☐ Yes (If more than 4, additional application required) ☒ No

4a. If yes, please describe type and number of each game to be provided:

5. Will patrons ever be charged to enter the establishment?
☐ Yes ☒ No

5a. If yes, why:

5b. Which days of the week will there be a cover charge (circle all applicable days):

Monday Tuesday Wednesday Thursday Friday
Saturday Sunday

6. Will the facility or a portion of the facility be available for private parties?
☒ Yes ☐ No

6a. If yes, explain:

*We have reservation all the time
for private B-day, graduation, etc
which we service in house.*

7. Will a third party (promoter) be permitted to lease, let or use the establishment?
☐ Yes ☒ No

7a. If yes, explain:


8. Will there ever be a minimum age limit?
☐ Yes ☒ No

Exhibit A – Page 3
Entertainment Establishment

9. Additional comments/description/operational characteristics or prior experience:

Family owned and operated hands
on restaurant.

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility



Signature of Applicant

**Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- ✓ Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)

Number of bar seats

Standing room

64
16
20 + -

b. Outdoor

Number of seats

20

c. Number of employees

14

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 134

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____

Square footage of dance floor _____

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

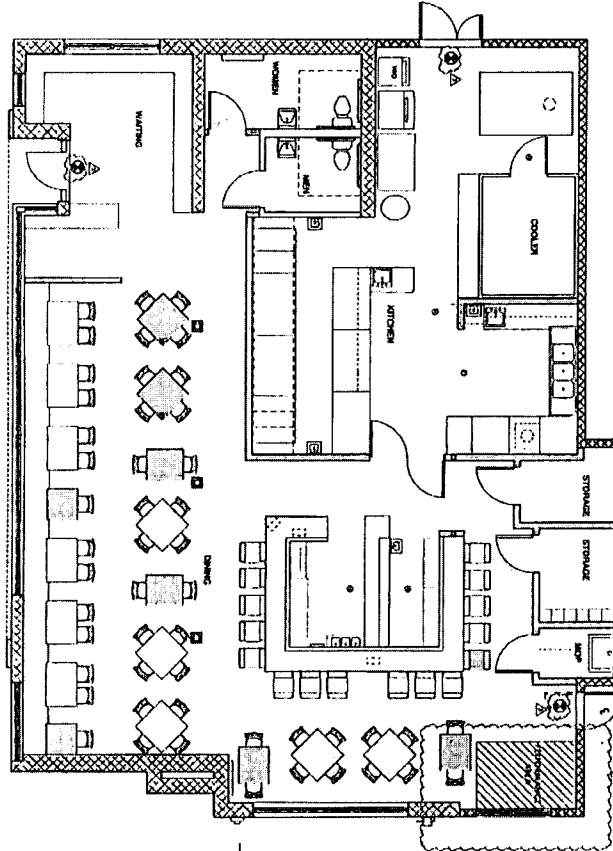
810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised December, 2014)

NEW WORK SEATING FLOOR PLAN



SEATING/OCCUPANCY NOTES

TOTAL NUMBER OF SEATS INDOOR AND OUTDOOR (NOT INCLUDING BAR SEATS)	88
NUMBER OF BAR SEATS	16
TOTAL SEATS	104
TOTAL EMPLOYEES	14
TOTAL OCCUPANCY INDOOR AND OUTDOOR	118
TOTAL ALLOWABLE OCCUPANCY PER C.O. # 12-2723 DATED FEB 15, 2014	144

SMALL'S SMOKEHOUSE + OYSTER BAR

2700 Hampton Blvd. Norfolk, VA 23517

SMALL'S SMOKEHOUSE + OYSTER BAR

2700 Hampton Blvd. Norfolk, VA 23517

DATE: 01/22/15

BY: [Signature]

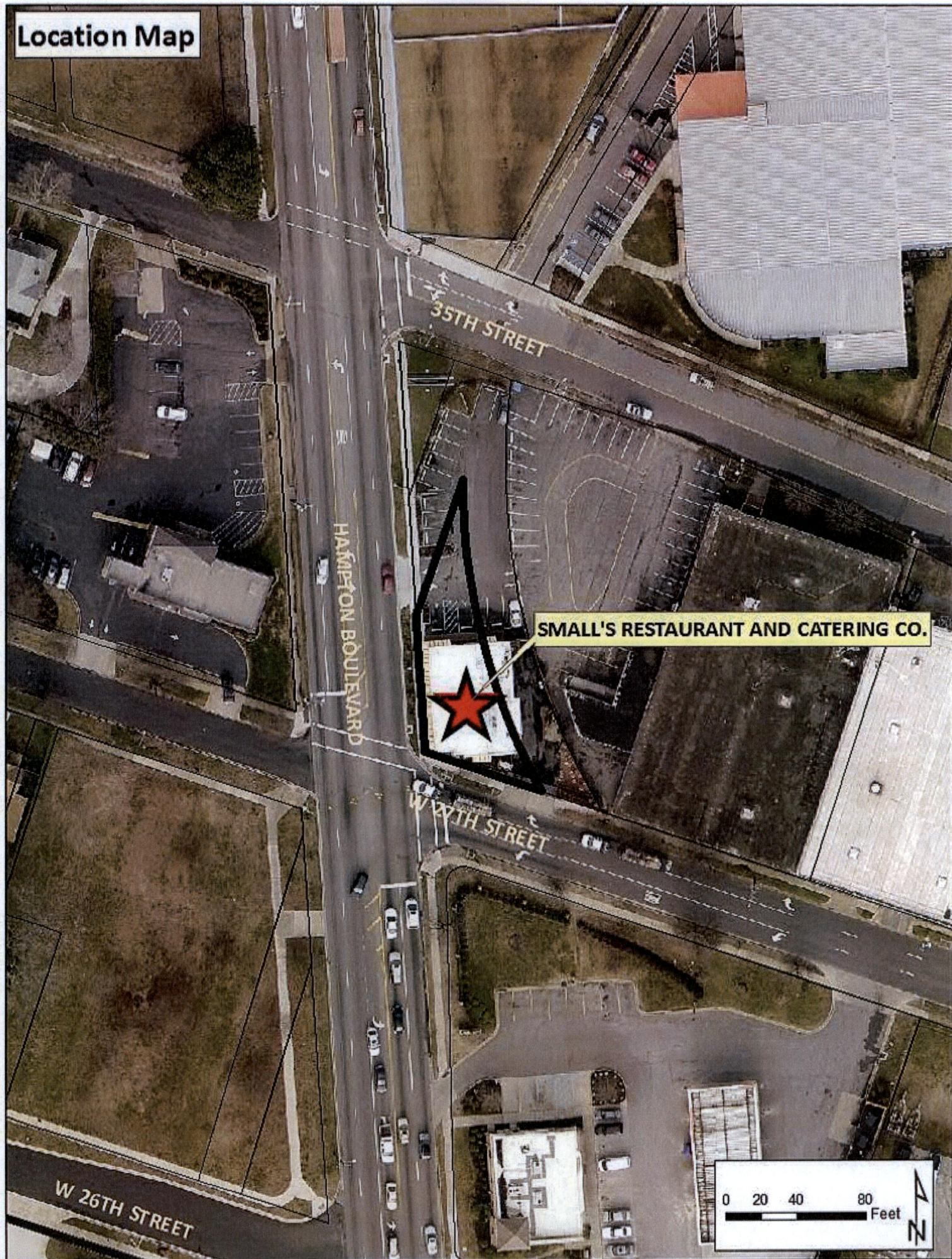
PROJECT: SEATING PLAN

SCALE: 1/8" = 1'-0"

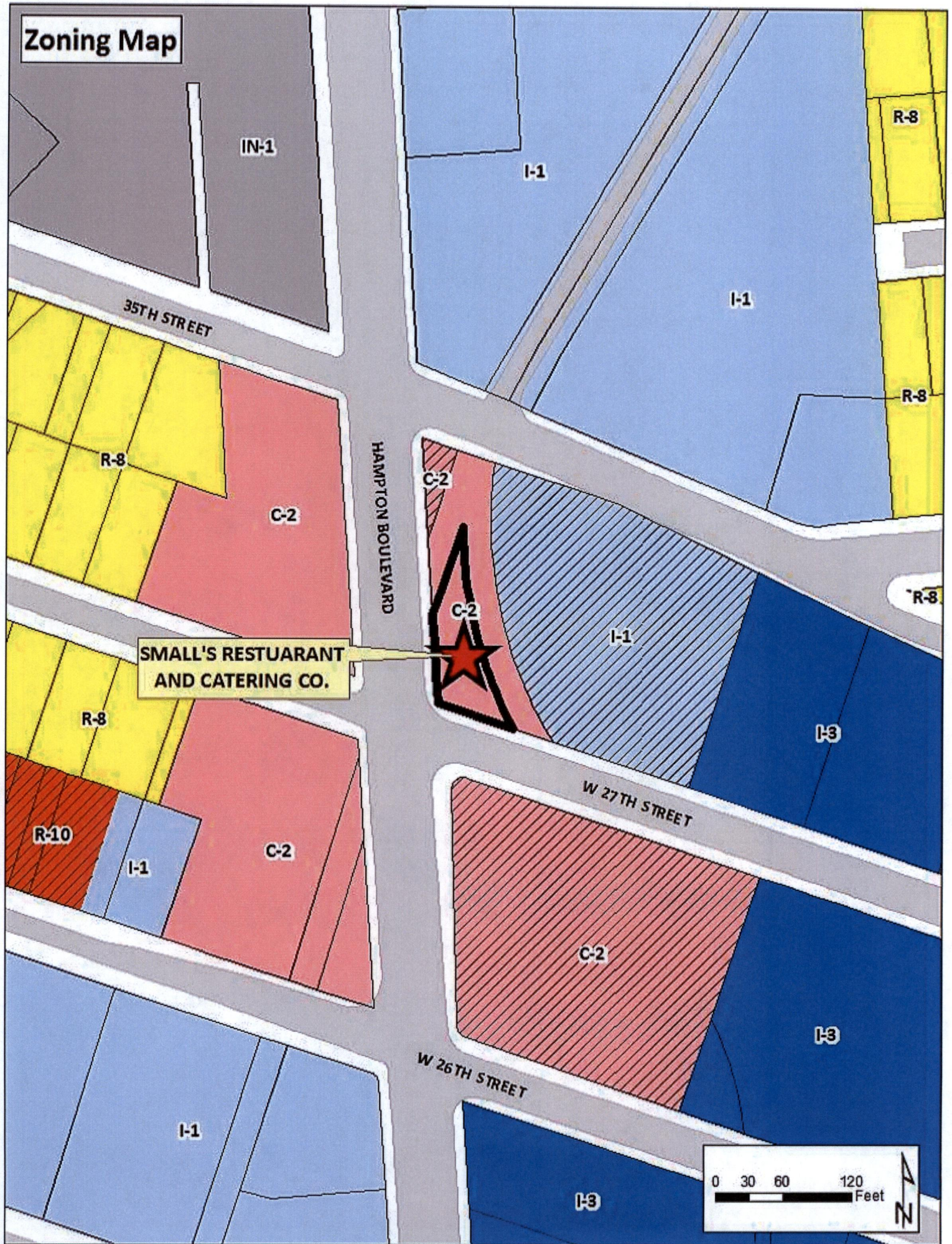
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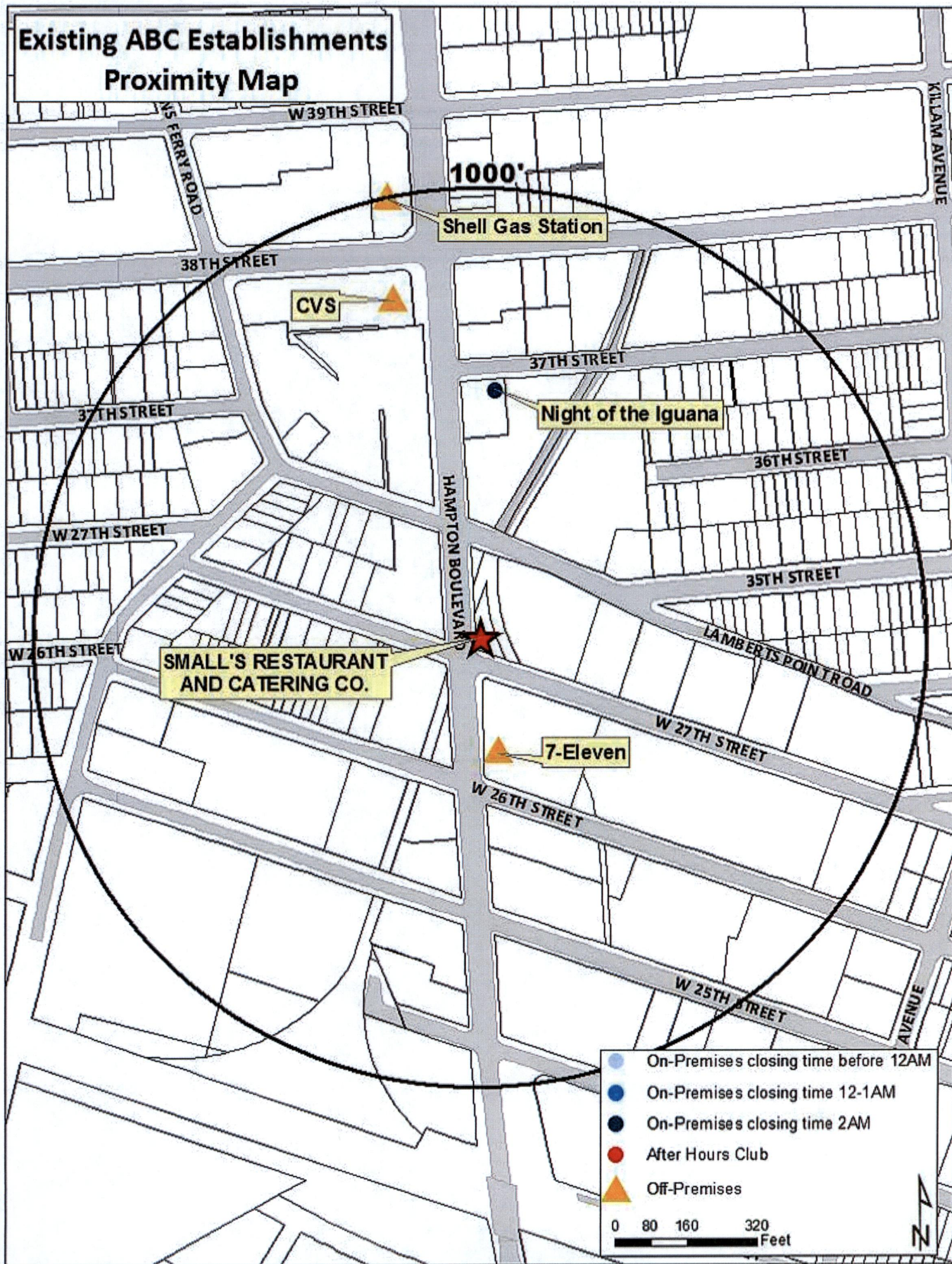
Location Map

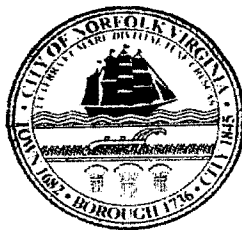


Zoning Map



Existing ABC Establishments Proximity Map





**APPLICATION
ADULT USE SPECIAL EXCEPTION
ENTERTAINMENT ESTABLISHMENT
(Please Print)**

Date 12-5-2014

DESCRIPTION OF PROPERTY

Address 2700 Hampton Blvd

Existing Use of Property Restaurant (eating & drinking)

Proposed Use Restaurant (eating & drinking)

Current Building Square Footage 3,000 sf

Proposed Building Square Footage 3,000 sf

Trade Name of Business (If applicable) Small's Restaurants & Catering Co.

APPLICANT/ PROPERTY OWNER

1. Name of applicant (Last) Small (First) John (MI) F

Mailing address of applicant (Street/P.O. Box) 2700 Hampton Blvd.

(City) Norfolk (State) VA (Zip Code) 23517

Daytime telephone number of applicant () 626 3440 Fax number () Same

E-mail address of applicant johniii@smallscow.com

2. Name of property owner (Last) Small (First) John (MI)

Mailing address of property owner (Street/P.O. box) 2700 Hampton Blvd

(City) Norfolk (State) VA (Zip Code) 23517

Daytime telephone number of owner () 626 3440 Fax number () Same

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July 2013)

Application
Entertainment Establishment
Page 2

CONTACT INFORMATION

Civic League contact Ernest Hill / Kensington / Old Dominion

Date(s) contacted _____

Ward/Super Ward information Dr. Whitley

REQUIRED ATTACHMENTS

- Required application fee, \$355.00 (if check, make payable to Norfolk City Treasurer).
 - Application fee includes a non-refundable \$5 technology surcharge.
- Two 8½x14 (maximum size) copies of a survey or site plan (required for new construction or site improvements) drawn to scale showing:
 - Existing and proposed building structures
 - Driveways
 - Parking
 - Landscaping
 - Property lines (see attached example)
- Two 8½ inch x 14 inch (maximum size) copies of a floor plan prepared by a registered design professional drawn to scale showing restroom facilities, seats/tables, bar, dance floor with dimensions, band area, disc jockey area, standing room and ingress and egress (see attached example).
- Completed Exhibit A, Description of Operations (attached).

CERTIFICATION

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: John Small Sign: [Signature] 05/14
(Property Owner or Authorized Agent Signature) (Date)

Print name: _____ Sign: _____ / _____ / _____
(Applicant or Authorized Agent Signature) (Date)



EXHIBIT "A"
Description of Operations
Entertainment Establishment
(Please Print)

Date 1/9/2015

Trade name of business Small's Restaurant & Catering Co

Address of business 2700 Hampton Blvd

Name(s) of business owner(s)* Solitude Trail LLC 90 John Small

Name(s) of property owner(s)* 2700 Hampton Blvd LLC 90 John Small

Name(s) of business manager(s)/operator(s) Leygon Small / John Small

Daytime telephone number (757) 626-3440

*If business or property owner is a partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

<u>Facility</u>	<u>Alcoholic Beverage Sales and Entertainment</u>
Weekday From <u>6 AM</u> To <u>2: AM</u>	Weekday From <u>10:30 AM</u> To <u>1:45 AM</u>
Friday From <u>6 AM</u> To <u>2: AM</u>	Friday From <u>10:30 AM</u> To <u>1:45 AM</u>
Saturday From <u>6 AM</u> To <u>2: AM</u>	Saturday From <u>10:30 AM</u> To <u>1:45 AM</u>
Sunday From <u>6 AM</u> To <u>Mid Night</u>	Sunday From <u>10:30 AM</u> To <u>11:45 PM</u>

2. Type of ABC license applied for (check all applicable boxes):

☒ On-Premises ☐ Off-Premises (second application required)

3. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed Beverage

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

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(Revised December, 2014)

Exhibit A – Page 2
Entertainment Establishment

4. Will video games, pool tables, game boards or other types of games be provided?
☐ Yes (If more than 4, additional application required) ☒ No

4a If yes, please describe type and number of each game to be provided:

5. Will patrons ever be charged to enter the establishment?
☐ Yes ☒ No

5a. If yes, why:

- 5b. Which days of the week will there be a cover charge (circle all applicable days):

Monday Tuesday Wednesday Thursday Friday
Saturday Sunday

6. Will the facility or a portion of the facility be available for private parties?
☒ Yes ☐ No

6a. If yes, explain:

*We have reservation all the time
for private Bday's, graduations, etc
which we service in house.*

7. Will a third party (promoter) be permitted to lease, let or use the establishment?
☐ Yes ☒ No

7a. If yes, explain:

8. Will there ever be a minimum age limit?
☐ Yes ☒ No

Exhibit A – Page 3
Entertainment Establishment

9. Additional comments/description/operational characteristics or prior experience:

Family owned and operated bar
or restaurant.

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility



Signature of Applicant

Exhibit A – Floor Plan(s) Worksheet Entertainment Establishment

- Complete this worksheet based for each floor plan submitted with application.
- ✓ Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)

Number of bar seats

Standing room

64
16
20 + -

b. Outdoor

Number of seats

20

c. Number of employees

14

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 134

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____

Square footage of dance floor _____

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

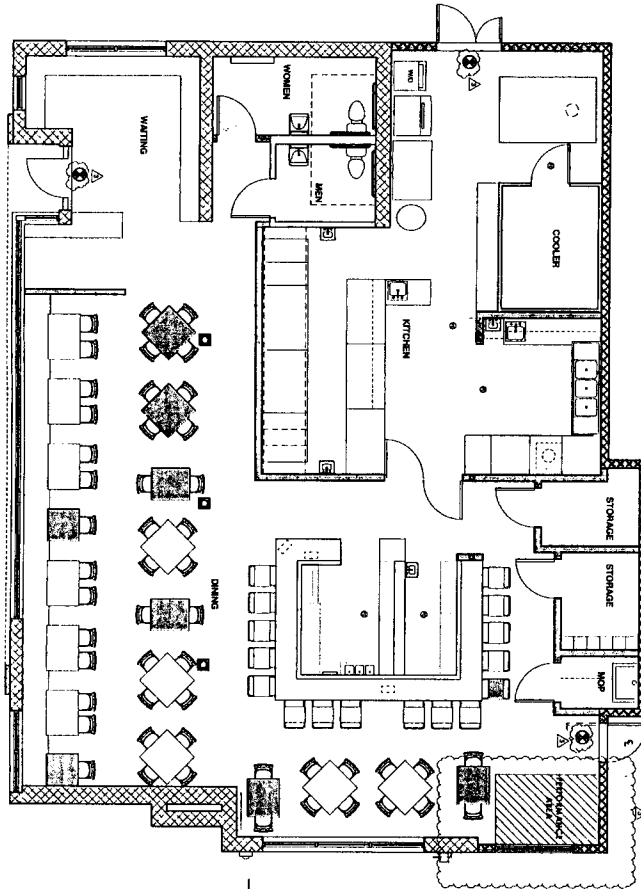
810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised December, 2014)

NEW WORK SEATING FLOOR PLAN
1/8" = 1'-0"



TOTAL NUMBER OF SEATS INDOOR AND OUTDOOR (NOT INCLUDING BAR SEATS)	88
NUMBER OF BAR SEATS	16
TOTAL SEATS	104
TOTAL EMPLOYEES	14
TOTAL OCCUPANCY INDOOR AND OUTDOOR	118
TOTAL ALLOWABLE OCCUPANCY PER C.O. # 12-2925 DATED FEB 15, 2014	144

SEATING/OCCUPANCY NOTES

NOTE: SHADING INDICATES 100% HALL OF CHAIRS

NOTE: SEE SOH

SMALL'S SMOKEHOUSE + OYSTER BAR
2700 Hampton Blvd. Norfolk, VA 23517

CONSTRUCTION PROJECT

DATE: 06/18/2015

REVISION: 01/15/15

3

CONSTRUCTION PROJECT

DATE: 06/18/2015

REVISION: 01/15/15

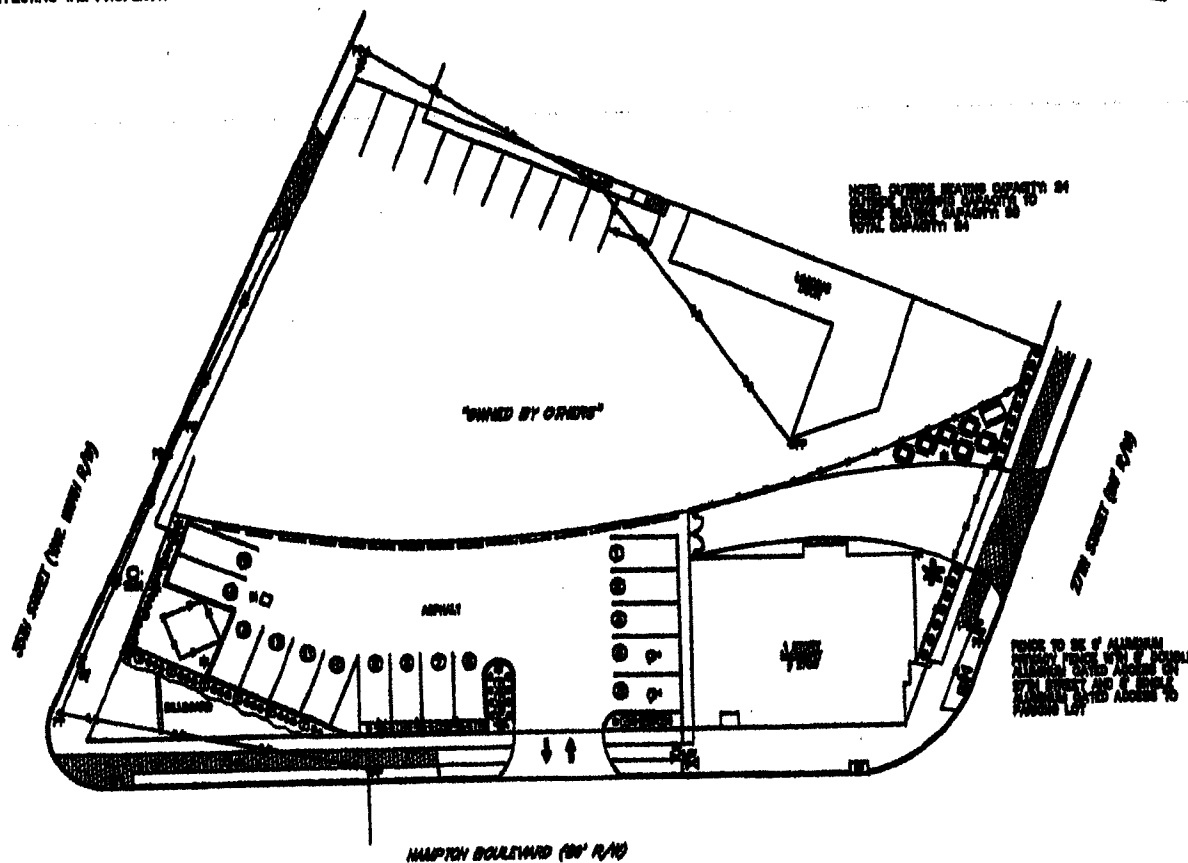
3

SEATING PLAN

A1.2a

NOTES:

- 1) THE PROPERTY SHOWN HEREON APPEARS TO BE IN "X" FLOOD ZONE (AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN) ACCORDING TO F.E.M.A. MAP PANEL NO. 210104-50800, REVISED SEPT. 5, 2005.
- 2) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT, AND MAY NOT SHOW ANY/ALL EASEMENTS AFFECTING THE PROPERTY.



**CONCEPTUAL SITE PLAN
OF
2780 HAMPTON BOULEVARD
BEING PART OF LOTS 1, 2, 3, 4, 5, 6 &
UNNUMBERED PARCEL, BLOCK 8
MAP OF BUNGALOW PARK AND
PORTION OF PROPERTY OF
NORFOLK & WESTERN RAILWAY CO.
NORFOLK, VIRGINIA
FOR
JFS INVESTMENTS, LLC**

**WARD M. HOLMES
LAND SURVEYOR, P.C.
9225 GRANBY STREET
NORFOLK, VIRGINIA 23503
757-480-1230**

DATE: OCT. 20, 2011	REV: APRIL 19, 2012
SCALE: 1" = 40'	
DRAWN BY: DHH	
JOB NO. 11-651	SHEET 1 OF 1

Security Plan for Small's Restaurant
2700 Hampton Blvd.
Norfolk, VA 23517

When Small's Smokehouse redeveloped the property at this location a great deal of thought went into making the property attractive, inviting to its clientele and to offer a secure feeling to its environment.

We are located on a busy stop lighted corner on Hampton Blvd which offer a very secure surrounding. Small's Restaurant is highly visible and its property is well lit at night offering a complete lighting package surrounding the property. The parking lot is adjacent and easily assessable to the entrance of the building. It is completely open and fully lighted during evening hours. We also have installed a complete video camera package with eleven camera located throughout the interior and exterior of the property.

The rear of the property is completely surrounded by security fencing and controlled by gates. Lighting and cameras are also installed in the rear area.

Small's Restaurant has created a safe and secure environment for its customers and staff during all hours of operation, arriving or departing the premises.

Respectfully submitted,

Small's Restaurant



City of NORFOLK

February 4, 2015

Reginald King
President, Kensington/Old Dominion Place Civic League
1017 36th Street
Norfolk, VA 23508
reggie.king@gmail.com

Dear Mr. King,

The Planning Department has received an application for a special exception to operate an entertainment establishment with alcoholic beverages at 2700 Hampton Boulevard.

This item is tentatively scheduled for the February 26, 2015 City Planning Commission public hearing.

Summary

This request would allow the existing restaurant, Small's Restaurant and Catering Co., to expand their total capacity, expand hours of operation and hours for the sale of alcohol, and to add entertainment options to their operations.

	Prior Operations	Proposed Operations
Hours of Operation	6:00 a.m. until 12:00 midnight, Sunday through Thursday 6:00 a.m. until 1:00 a.m., Friday and Saturday	6:00 a.m. until 2:00 a.m., Monday through Saturday 6:00 a.m. until 12:00 midnight, Sunday
Hours for the Sale of Alcoholic Beverages	6:00 a.m. until 12:00 midnight, Sunday through Thursday 6:00 a.m. until 1:00 a.m., Friday and Saturday	10:30 a.m. until 1:45 a.m., Monday through Saturday 10:30 a.m. until 11:45 p.m., Sunday
Capacity	<ul style="list-style-type: none">• 84 seats indoors• 20 seats outdoors• 120 total capacity	<ul style="list-style-type: none">• 80 seats indoors• 20 seats outdoors• 134 total capacity
Entertainment	None	<ul style="list-style-type: none">• 3 member live band• Karaoke• Comedian• Poetry Reading

If you would like additional information on the request, you may contact the applicant, John Small Jr., at (757) 626-3440 or you may contact me at (757) 664-4750, or matthew.simons@norfolk.gov. A copy of the complete application is enclosed.

Sincerely,



Matthew Simons, CFM
City Planner II

- cc: Denise Wilson, Neighborhood Development Specialist
Denise.Wilson@norfolk.gov or (757) 664-6782
- cc: The Honorable Theresa W. Whibley, M.D. – Ward 2 City Councilwoman
The Honorable Angelia M. Williams – Superward 7 Councilwoman, Vice-Mayor



February 4, 2015

Thomas Harris
President, Lamberts Point
1231 West 27th Street
Norfolk, VA 23508
lambertsptcivicleague@hotmail.com

Dear Mr. Harris,

The Planning Department has received an application for a special exception to operate an entertainment establishment with alcoholic beverages at 2700 Hampton Boulevard.

This item is tentatively scheduled for the February 26, 2015 City Planning Commission public hearing.

Summary

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Sincerely,



Matthew Simons, CFM
City Planner II

- cc: Denise Wilson, Neighborhood Development Specialist
Denise.Wilson@norfolk.gov or (757) 664-6782
- cc: The Honorable Theresa W. Whibley, M.D. – Ward 2 City Councilwoman
The Honorable Angelia M. Williams – Superward 7 Councilwoman, Vice-Mayor

Simons, Matthew

From: Esther Turner <esthermturner@gmail.com>
Sent: Tuesday, March 17, 2015 2:49 PM
To: Simons, Matthew
Subject: Small's Restaurant - March 26 Meeting

Hello Mr. Simons,

I'm not sure if I'll be able to make it to the March 26th meeting at 2:30 p.m. I work downtown, but it will just depend on my schedule that day. If I'm not there, **I want to raise concern over Small's entertainment permit / special exception.** The ODU Wednesday night outdoor live music that they did in the fall last year was not acceptable. I could hear their amplified music in my townhouse across the street with all of my windows closed! I did go over and ask if it was a one night thing and they explained that it would be every Wednesday until 10pm (and it played well past 10pm). I want their business to succeed, but not at the expense of having to listen to their music every Wednesday night in my home.

Please pass along my concerns, if I can't make it in person.

Thank you,

Esther M. Turner
1208 W. 26th Street
Norfolk, VA 23508
703.447.7446